IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Eisenberg et al.	)
	)
Application No.: 08/485,438	) Group Art Unit: 1652
	)
Filed: June 7, 1995	) Examiner: Moore, W.
	)
For: INHIBITION OF RETROVIRUS	) Confirmation No. 5619
INFECTION	)
	)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

TERMINAL DISCLAIMER

Petitioner ("assignee") the United States Of America, as represented by the

Secretary, Department of Health and Human Services, located at 6011 Executive

Boulevard, Rockville, Maryland 20852, represents that it is the joint assignee with

Amgen Inc. of the entire right, title and interest in and to the above-identified U.S.

Application No. 08/485,438, filed June 7, 1995, for Inhibition of Retrovirus Infection, in

the name of Eisenberg et al. as indicated by the assignments duly recorded at Reel

9301, Frame 0575, and Reel 6409, Frame 0895.

The United States Of America, as represented by the Secretary, Department of

Health and Human Services further represents that it is the joint assignee with Amgen

Inc., of the entire right, title and interest in and to U.S. Patent No. 6,017,880, issued

January 25, 2000, for Inhibition of Retrovirus Infection, in the name of Eisenberg et al.

as indicated by the assignments duly recorded at Reel 9301, Frame 0575, and Reel 6409, Frame 0895.

To obviate a double patenting rejection, the United States Of America, as represented by the Secretary, Department of Health and Human Services hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified U.S. Application No. 08/485,438, which would extend beyond the expiration date of U.S. Patent No. 6,017,880, and hereby agrees that any patent so granted on U.S. Application No. 08/485,438 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,017,880, this agreement to run with any patent granted on U.S. Application No. 08/485,438 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, assignee does not disclaim the terminal part of any patent granted on U.S. Application No. 08/485,438 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,017,880 as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,017,880: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.
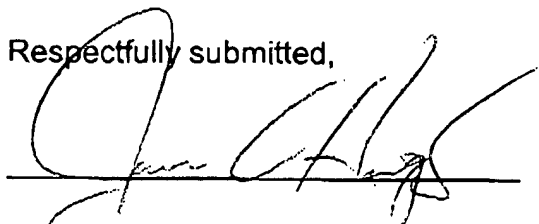
The undersigned is authorized to act on behalf of assignee the United States Of America, as represented by the Secretary, Department of Health and Human Services.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of $110.00 is being filed with this disclaimer.

If there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to Deposit Account No. 06-0916.

I hereby declare that all statements made of my own knowledge and belief are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

30 SEPT 2004

Date

Name: _JAMES C. HAGERT (25.588)_

Title: _SENIOR PATENT ATTORNEY_

3